

Program is to assist LEAs or LEAs in collaboration with IHEs, CBOs, other LEAs, or an SEA to implement schoolwide bilingual education programs or special alternative instructional programs for reforming, restructuring, and upgrading all relevant programs and operations, within an individual school, that serve virtually all LEP children and youth in schools with significant concentrations of these children and youth.

Under this final priority, LEAs are eligible for funding if the proposed project serves only schools in which the number of LEP students, in each school served, equals at least 25 percent of the total student enrollment. By using a 25 percent threshold the Secretary is targeting those schools in which LEP students constitute a major portion of the school population. The Secretary chose a percentage threshold, rather than a number threshold, in order to include schools with small student enrollments. Using the 25 percent threshold, the Department estimates that approximately 4,400 schools would be eligible to participate under this program. The estimate is based on data from the Descriptive Study of Services to LEP Students conducted by Development Associates, Inc., in 1993.

On March 2, 1995 the Secretary published a notice of proposed priority for this program in the Federal Register (60 FR 11866).

Note: This notice of final priority does not solicit applications. A notice inviting applications under this competition will be published in the Federal Register at a later date.

Analysis of Comments and Changes

In response to the Secretary's invitation in the notice of proposed priority, one party submitted a comment. An analysis of this comment follows. The Secretary has made no changes in this priority since publication of the notice of proposed priority.

Comment: The commenter expressed concern that States with small populations and rural districts would be unable to participate in the Comprehensive School Grants Program because they could not reach the threshold percentage. The commenter maintained that States that receive large influxes of immigrants are less likely to need Federal assistance because of existing services or resources for their LEP children and youth or because they have been past recipients of Federal assistance. The commenter also noted that small States must serve LEP students, but may not have existing

services or the resources necessary to serve them.

Discussion: Because the Comprehensive School Grants Program is required by its authorizing statute to serve LEP children and youth in schools with significant concentrations of these children and youth, the Secretary, in order to implement the program, had to determine what constitutes a "significant concentration." By using a percentage to measure a significant concentration rather than a numeric measurement, the Secretary has made it possible for schools with small student enrollments, but a significant percentage of LEP students, to meet the priority. The Secretary believes that a 25 percent threshold targets those schools that need to serve LEP children and youth who are a major portion of a school's population.

Changes: None.

Priority

Under 34 CFR 75.105(c)(3) and section 7114(a) of the Act, the Secretary gives an absolute preference to applications that meet the following priority. The Secretary funds under this competition only applications that meet this absolute priority:

Projects that serve only schools in which the number of LEP students, in each school served, equals at least 25 percent of the total student enrollment.

Intergovernmental Review

This program is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR Part 79. The objective of the Executive order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, this document is intended to provide early notification of the Department's specific plans and actions for this program. Program.

(Catalog of Federal Domestic Assistance Number 84.290 Bilingual Education: Comprehensive School Grants)

Program Authority: 20 U.S.C. 7424.

Dated: October 23, 1995.

Dang T. Pham,

Acting Director, Office of Bilingual Education and Minority Languages Affairs.

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Bilingual Education: Systemwide Improvement Grants Program

AGENCY: Department of Education.

ACTION: Notice of final priority for fiscal year (FY) 1996 and following years.

SUMMARY: The Secretary announces a priority for FY 1996 and following years under the Bilingual Education: Systemwide Improvement Grants Program authorized in title VII of the Elementary and Secondary Education Act of 1965, as amended (the Act). The Secretary takes this action to implement a provision of the Act by focusing Federal financial assistance on an identified national need. The priority is intended to provide financial assistance to local educational agencies (LEAs) or LEAs in collaboration with institutions of higher education (IHEs), community-based organizations (CBOs), other LEAs, or a State educational agency (SEA) to implement districtwide bilingual education programs or special alternative instructional programs that will serve a significant number of limited English proficient (LEP) children and youth in one or more LEAs with significant concentrations of these children and youth.

EFFECTIVE DATE: This priority takes effect November 29, 1995.

FOR FURTHER INFORMATION CONTACT:

Harry Logel, U.S. Department of Education, 600 Independence Avenue, SW., Room 5090, Switzer Building, Washington, DC 20202-6510. Telephone: (202) 205-5530. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Under section 7115(a) of the Act, the purpose of the Systemwide Improvement Grants Program is to assist LEAs or LEAs in collaboration with IHEs, CBOs, other LEAs, or an SEA to implement districtwide bilingual education programs or special alternative instructional programs to improve, reform, and upgrade relevant programs and operations, within an entire LEA, that serve a significant number of LEP children and youth in one or more LEAs with significant concentrations of these children and youth.

Under this final priority LEAs are eligible for funding if the proposed project serves only LEAs in which the number of LEP students, in each LEA served, is at least 1,000 or at least 25 percent of the total student enrollment. By using a 1,000 or 25 percent

threshold, the Secretary is targeting those LEAs in which LEP students constitute a major portion of the LEAs' programs and operations. The Secretary chose to use either a number or a percentage threshold in order to include small and large school districts with significant concentrations of LEP students. If the Secretary had used only a percentage threshold, some of the larger districts would be excluded from participating in the program even though they enroll significant numbers of LEP students. On the other hand, if the Secretary had used only a numerical threshold, some smaller districts would be excluded from participating in the program even though a significant percentage of their student enrollment consists of LEP students. Using the 1,000 or 25 percent threshold, the Department estimates that approximately 450 LEAs are eligible to participate under this program. This estimate is based on data from the Descriptive Study of Services to LEP Students conducted by Development Associates, Inc., in 1993.

On March 2, 1995 the Secretary published a notice of proposed priority for this program in the Federal Register (60 FR 11862).

Note: This notice of final priority does not solicit applications. A competition under this program will not be held in FY 1996. If a competition is held in a subsequent year, a notice inviting applications under that competition will be published in the Federal Register at that time.

Analysis of Comments and Changes

In response to the Secretary's invitation in the notice of proposed priority, two parties submitted comments. An analysis of the substantive comments follows. The Secretary has made no changes in this priority since publication of the notice of proposed priority.

Comment: One commenter stated that the priority needed to clarify whether or not LEAs may collaborate with one another to participate in the program.

Discussion: The statutory authority for this program provides that LEAs may collaborate with one another in carrying out a Systemwide Improvement Grants project. The priority makes clear, however, that each LEA served under a Systemwide Improvement Grants project must meet either the numerical or the percentage threshold.

Changes: None.

Comment: One commenter expressed concern that States with small populations and rural districts would be unable to participate in the Systemwide Improvement Grants Program because they could not reach the student

threshold. The commenter maintained that States that receive large influxes of immigrants are less likely to need Federal assistance because of existing services or resources for their LEP children and youth or because they have been past recipients of Federal assistance. The commenter also noted that small States must serve LEP students, but may not have existing services or the resources necessary to serve them.

Discussion: Because the Systemwide Improvement Grants Program is required by its authorizing statute to serve LEP children and youth in LEAs with significant concentrations of these children and youth, the Secretary, in order to implement the program, had to determine what constitutes a "significant concentration." If the Secretary used only a number to measure a significant concentration, LEAs with small enrollments could be excluded from participation in the program even though the percentage of LEP students in those school districts was high. By using a percentage as well as a numerical measurement, the Secretary has made it possible for LEAs with small student enrollments, but a significant percentage of LEP students, to meet the priority. The Secretary believes that a 25 percent threshold targets those LEAs in which the number of LEP children and youth may not be large but nonetheless constitutes a major portion of the enrollment.

Changes: None.

Priority

Under 34 CFR 75.105(c)(3) and section 7115(a) of the Act, the Secretary gives an absolute preference to applications that meet the following priority. The Secretary funds under this competition only applications that meet this absolute priority:

Projects that serve only LEAs in which the number of LEP students, in each LEA served, is at least 1,000 or at least 25 percent of the total student enrollment.

Intergovernmental review

This program is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR Part 79. The objective of the Executive order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, this document is intended to provide early

notification of the Department's specific plans and actions for this program.

(Catalog of Federal Domestic Assistance Number 84.291 Bilingual Education: Systemwide Improvement Grants.)

Program Authority: 20 U.S.C. 7425.

Dated: October 19, 1995.

Dang T. Pham,

Acting Director, Office of Bilingual Education and Minority Languages Affairs.

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BILLING CODE 4000-01-P

[CFDA No.: 84.023]

Office of Special Education and Rehabilitative Services; Research in Education of Individuals With Disabilities Program

ACTION: Extension Notice.

PURPOSE: On August 10, 1995, the Secretary published in the Federal Register (60 FR 40956) a combined application notice (CAN) inviting applications for new awards for fiscal year 1996 under a number of the Department's direct grant and fellowship programs. Included in the CAN were three competitions under the Research in Education of Individuals with Disabilities Program. The purpose of this notice is to revise the closing date for one of those competitions. The closing date for the Field-Initiated Research Projects competition, CFDA No. 84.023C, has been extended to March 29, 1996. This action is taken in consideration of the current proposals in the Congress that either eliminate or substantially reduce funding for the program. Extending the closing date for this competition allows the Department and potential applicants time to consider further developments related to the fiscal year 1996 appropriation.

FOR FURTHER INFORMATION CONTACT: Claudette Carey, U.S. Department of Education, 600 Independence Avenue, S.W., room 3525, Switzer Building, Washington, D.C. 20202-2641. Telephone: (202) 205-9864. FAX: (202) 205-8105. Internet: Claudette.Carey@ed.gov.

Individuals who use a telecommunications device for the deaf (TDD) may call the TDD number: (202) 205-8953.

PROGRAM AUTHORITY: 20 U.S.C. 1441-1442, 34 CFR 324.

Dated: October 25, 1995.

Judith E. Heumann,

Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 95-26889 Filed 10-27-95; 8:45 am]

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